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9 April 1981

MEMORANDUM FOR: Deputy Director of Central Intelligence
FROM: Director of Central Intelligence *mfe*
SUBJECT: Leaks

1. There are a number of interrelated security problems which need to be thought through and some of which you may have to take action on while I am away.

2. We referred to the most immediate one in our telephone conversation last night. At the first NSC meeting when Haig and Weinberger return from their trips, George Bush would like to have a careful briefing on the handling of sensitive information in public statements by the members and their subordinates. Dick Kerr and Evan Hineman are up to date on this and I attach some of the offending clippings.

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3. I think the system needs overhauling. It seems to me there is a need to review and consolidate the standards and cautions in the handling of sensitive material. For example, the PDB will specify that an item comes from sensitive communications while the same item in the NID will report the information but not indicate that it came from a sensitive source. I understand it to be your view that specifying the sensitive source reminds the reader of the PDB as to how he needs to handle the information. It seems to me that perhaps some information has to be totally withheld from the NID if we really want to protect the source.

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4. I think we should round up and look at all the rules that have been developed on this subject and review them and see if we can improve on them and make them coherent and meaningful, and figure what we need to do to get them more or less uniformly applied. The way it is done now seems to hit and miss to me.

5. The danger of leaks has created a rapidly growing phobia that any piece of paper will get in the newspapers. One way of getting at this is to have a way to mandate the FBI to investigate really serious leaks. The Director of the FBI needs Attorney General approval and he has demanded a commitment to prosecute before approving an FBI investigation. There is legislation now proposed to really authorize the FBI to investigate whenever some high official certifies that a leak of significance needs to be addressed for disciplinary reasons. The Justice Department needs to be protected from being required to investigate every leak. But someone somewhere in Government should be able to say this is sufficient to justify the FBI's time.

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6. There is also a need for a Presidential caution. I attach a good memorandum on this which just came to my attention. Frank Carlucci had Dan Silver prepare it along with a draft Presidential letter during the transition.

7. I attach that memorandum along with a response which sent to Dan.

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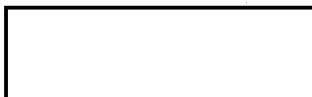
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8. I also attach a memorandum from General Faurer, along with a proposed draft of a cautionary note from the DCI to be sent to the White House and national security officials.

9. As I said on the telephone last night, I have a lunch date with Carlucci on Friday to discuss these matters and things that I discussed with the Attorney General yesterday. It would be good if you could join us so that you could do any follow up that is necessary while I am away.


William J. Casey

Attachments:
As stated



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